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3 UNITED STATES DISTRICT COURT
4 FOR THE NORTHERN DISTRICT OF CALIFORNIA
5 OAKLAND DIVISION
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7 KHANH NIELSON, individually, and on
8 behalf of all others similarly situated,

9 Plaintiff,

10 vs.

11 THE SPORTS AUTHORITY, and DOES 1
12 through 100, inclusive,

13 Defendants.

Case No: C 11-4724 SBA

**ORDER GRANTING PLAINTIFF'S
MOTION FOR FINAL APPROVAL
OF CLASS ACTION SETTLEMENT**

14 This matter came before the Court on December 17, 2013, for a hearing on
15 Plaintiff's Motion for an Order: (1) Granting Final Approval of Class Action Settlement;
16 (2) Awarding Attorney's Fees and Costs to Class Counsel; (3) Approving Enhancement
17 Award to the Class Representative; and (4) Awarding Reimbursement for Claims
18 Administration Fees and Costs. In particular, Plaintiff seeks final approval of a proposed
19 class action settlement of her wage and hour claims in the gross amount of \$2,500,000, an
20 award of attorney's fees in the amount of \$625,000 which is based on 25% of the gross
21 settlement, the payment of a \$2,500 incentive award to Plaintiff, and the payment of claims
22 administrator fees and litigation expenses in the amounts of \$76,000 and \$8,389.35,
23 respectively. The Court has received no objections to the proposed settlement and no
24 putative objectors appeared at the final approval hearing.

25 Assessing a settlement proposal requires the district court to balance a number of
26 factors: "the strength of the plaintiffs' case; the risk, expense, complexity, and likely
27 duration of further litigation; the risk of maintaining class action status throughout the trial;
28 the amount offered in settlement; the extent of discovery completed and the stage of the

1 proceedings; the experience and views of counsel; the presence of a governmental
2 participant; and the reaction of the class members to the proposed settlement.” Hanlon v.
3 Chrysler Corp., 150 F.3d 1011, 1026 (9th Cir. 1998). Upon consideration of these factors
4 in relation to the record presented, the Court finds that the proposed settlement is “fair,
5 reasonable, and adequate.” Fed. R. Civ. P. 23(e)(2). The proposed attorney’s fee award
6 based on 25% of the gross settlement is reasonable under the circumstances, see Vizcaino
7 v. Microsoft Corp., 290 F.3d 1043, 1048-50 (9th Cir. 2002), as is the proposed incentive
8 award for Plaintiff, see Villegas v. J.P. Morgan Chase & Co., No. C 09-0261 SBA, 2012
9 WL 3542187, at *6 (N.D. Cal., Aug. 14, 2012). Finally, Plaintiff has provided sufficient
10 documentary support for the payment of claims administrator fees and litigation expenses
11 in the sums requested.¹ Accordingly,

12 IT IS HEREBY ORDERED THAT:

13 1. Plaintiff’s Motion For An Order: (1) Granting Final Approval of Class Action
14 Settlement; (2) Awarding Attorneys’ Fees and Costs to Class Counsel; (3) Approving
15 Enhancement Award to the Class Representative; and (4) Awarding Reimbursement for
16 Claims Administration Fees and Costs is GRANTED.

17 2. The Court approves payment of: attorney’s fees in the sum of \$625,000 to
18 Class Counsel; litigation expenses in the sum of \$8,389.35 to Class Counsel; claims
19 administrator fees in the sum of \$76,000 to CPT Group, Inc.; and an incentive award in the
20 sum of \$2,500 to Plaintiff Khanh Nielson.

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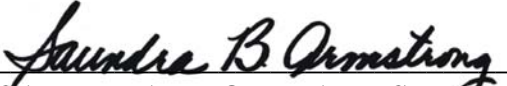
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27 ¹ At the Court’s direction Plaintiff timely submitted a supplemental declaration to
28 substantiate the expenses of the claims administrator. The supplemental declaration
provides the requisite support such expenses.

1 3. The instant action is dismissed with prejudice, and final judgment shall be
2 entered consistent with this Order. The Clerk shall close the file and terminate any pending
3 matters.

4 IT IS SO ORDERED.

5 Dated: January 22, 2014


SAUNDRA BROWN ARMSTRONG
United States District Judge